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IN THE

Supreme Court of the United States

OCTOBER TERM, 1936.

No. 171

HENRY C. HILL, Warden, United States Northeastern Penitentiary,

Petitioner,

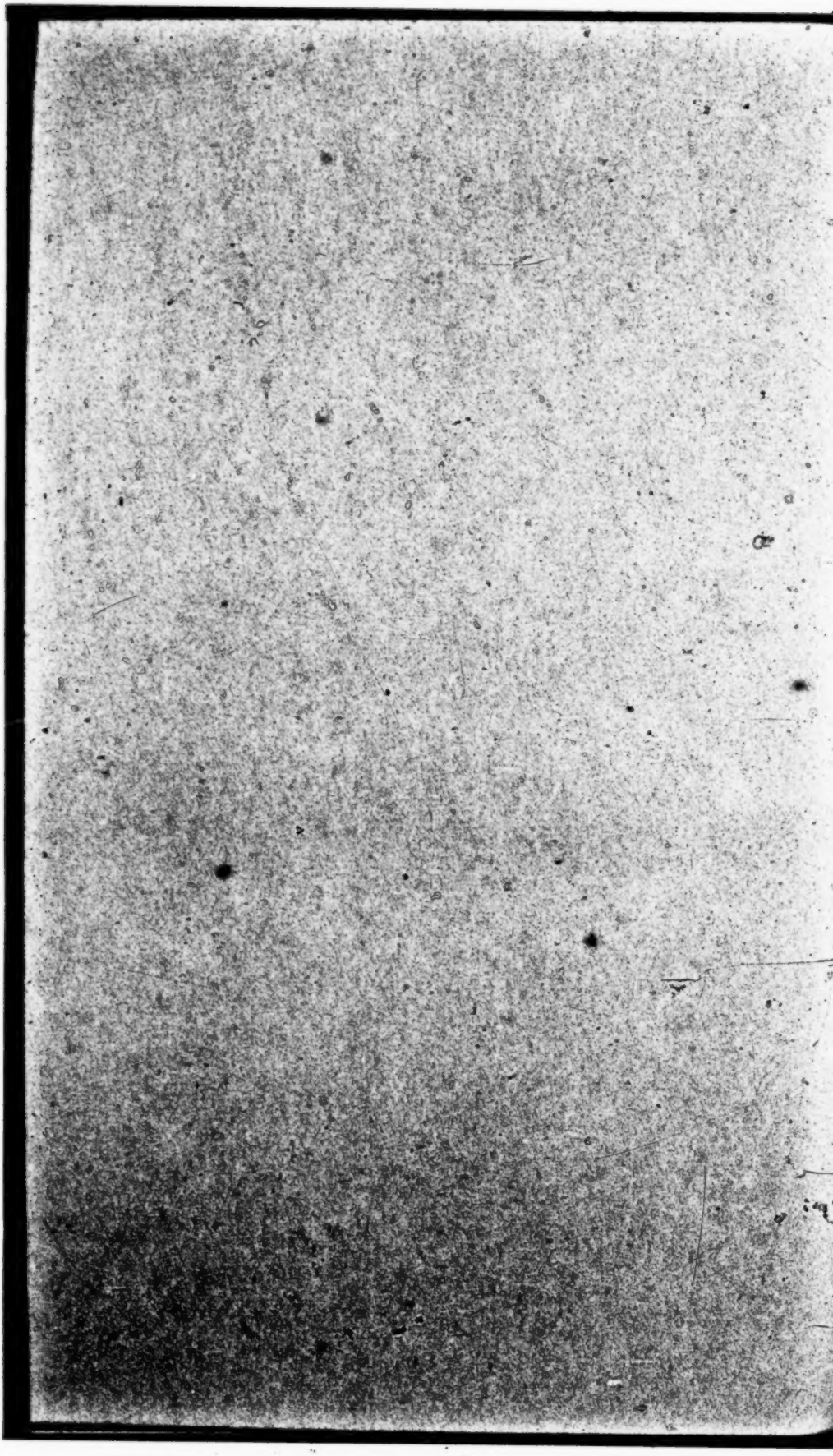
—against—

UNITED STATES *ex rel.* JOSEPH WEINER.

BRIEF FOR RESPONDENT IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

SAMUEL H. KAUFMAN,
Attorney for Joseph Weiner, Respondent.

THE COURT PRESS, N. Y. C.



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IN THE

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OCTOBER TERM, 1936.

No. ———.

HENRY C. HILL, Warden, United States Northeastern Penitentiary,

Petitioner,

—against—

UNITED STATES *ex rel.* JOSEPH WEINER.

BRIEF IN BEHALF OF JOSEPH WEINER, RESPONDENT, IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI.

The opinion of the District Court for Middle Pennsylvania, filed June 25, 1935, is reported in 11 F. Supp. 195 (R. 286-292).

The majority and dissenting opinions of the Circuit Court of Appeals for the Third Circuit, filed January 8, 1936, are unreported (R. 320-325). The opinion of the Circuit Court of Appeals upon rehearing, filed June 8, 1936, is unreported (R. 334-336).

Jurisdiction.

Jurisdiction is invoked under Section 240(a) of the Judicial Code, as amended by the Act of February 13, 1925 (28 U. S. C. A. 347a). The judgment of the Circuit Court of Appeals was entered June 8, 1936.

Question Presented:

Whether the limitation of six months on sentences for criminal contempt, as provided in Sections 21 and 22 of the Clayton Act (28 U. S. C. A., Secs. 386, 387) is applicable to contempts for violation of a decree entered in a suit brought by the United States, *where the contumacious acts also constitute criminal offenses under a Statute of the United States or under the laws of the State in which such acts were committed;* or whether such contempts are excepted from the provisions of Sections 21 and 22 of the Clayton Act, by Section 24 of said Act (28 U. S. C. A., Sec. 389).

Statutes Involved.

The statutes involved, Sections 21, 22 and 24 of the Clayton Act (28 U. S. C. A., Secs. 386, 387, 389) and Section 268 of the Judicial Code (28 U. S. C. A., Sec. 385) are printed in an appendix hereto (pp. 13-16).

Statement.

The respondent, Joseph Weiner, was convicted of criminal contempt, for violation of a decree of the United States District Court for Southern New York, entered February 6, 1932, in a suit in equity under the Sherman Anti-Trust Act, brought by the United States against Greater New York Live Poultry Chamber of Commerce, and others, including the respondent [affirmed *sub. nom. "Local 167 et al.* v. *United States"*, 291 U. S. 293] (R. 9; Ex. 10, 111-125). The decree adjudged that 99 defendants, including the respondent, had participated in a conspiracy to

restrain and monopolize interstate commerce in live poultry, in violation of the Sherman Anti-Trust Act; and enjoined the commission of certain specified acts, including, *inter alia,* the coercion of marketmen "to buy poultry, poultry feed, or other commodities necessary to the poultry business, from any particular seller thereof" (R. 5-6, 18-21).

By information filed July 31, 1933, the United States Attorney for Southern New York, accused the respondent and others of criminal contempt, alleging that the cited defendants had committed specified acts of coercion and intimidation in violation of the said decree. These acts are separately described in separately numbered paragraphs of the information (R. 33-56).

The District Court for Southern New York found the respondent guilty of criminal contempt in the commission of the acts specified in paragraphs "4", "5" and "6" of the information (R. 9).

Paragraph "4" charged the respondent with using his position in Local 440 of the Poultry Shochtim Union of Greater New York, a labor union: to coerce marketmen to buy poultry feed from the Metropolitan Poultry Feed Corporation; to coerce marketmen to employ workmen in excess of their reasonable requirements, "for the purpose among others of compelling said marketmen to buy their feed exclusively from the Metropolitan Feed Corporation"; and to spy upon marketmen for the same purpose (R. 7, 40-41).

Paragraph "5" of the information charged the respondent with visiting the S. S. & B. Market at 1314 Cooper Ave., Bronx, N. Y., and threatening to injure one of its proprietors, and the property of said market, unless the proprietors thereof bought poultry

coops exclusively from the New Jersey Coop Company; and with thereafter causing the S. S. & B. Market to be wrecked and damaged, and the proprietors, employees of the S. S. & B. Market and other persons in the poultry trade in Greater New York to be terrified and put in fear (R. 7, 41-42).

Paragraph "6" of the information charged the respondent with using his position as an official delegate of Local 440 of the Orthodox Slaughterers of America, Inc., to coerce Sam Weiner and others to buy their poultry and other commodities from particular sellers, and to employ laborers in excess of their reasonable requirements (R. 8, 42). [Paragraphs "4", "5" and "6" of the information are printed in full in an appendix hereto (pp. 16-18).]

The conviction followed a trial before the District Court, the respondent having waived a trial by jury (R. 9).

Certain of the acts specified in paragraphs "5" and "6" of the information were also the basis of a criminal prosecution against the respondent for violation of Section 530 of the Penal Law of the State of New York, which resulted in the respondent's conviction, and sentence for an indeterminate term of imprisonment (R. 227-228, 238-240). (*People* v. *Weiner,* 264 N. Y. 534.)

The respondent was originally sentenced by the United States District Court for Southern New York to serve six months in Detention Headquarters in the City of New York for the contempts charged in paragraph "4" of the information, and two years in the penitentiary for the contempts charged in paragraphs "5" and "6" (R. 9, 22-23).

On June 5, 1934, upon respondent's application, the sentence as to paragraph "4" was modified to "one

year and a day in the penitentiary, sentence on paragraph 4 to run concurrently with sentence on paragraphs 5 and 6" (R. 9, 24-25).

Upon completion of his prison term for violation of Section 530 of the Penal Law of the State of New York, respondent was committed to the United States Northeastern Penitentiary at Lewisburg, Pa. After serving six months of his sentence at Lewisburg (less time allowed for good behavior), respondent sought his release by petition for a writ of habeas corpus filed in the United States District Court for Middle Pennsylvania, alleging that the sentence of the United States District Court for Southern New York was void, and contrary to Section 22 of the Clayton Act, to the extent that it was in excess of six months (R. 5-12). His petition was granted and his discharge ordered (R. 212).

The Circuit Court of Appeals, Third Circuit, affirmed, one judge dissenting. Upon rehearing granted on the petition of the Warden, the Circuit Court of Appeals filed another opinion, reiterating the grounds of affirmance (R. 334-336).

Certiorari is now prayed by the Warden to review the judgment of the Circuit Court of Appeals.

Argument.

1. The contempt with which the respondent was charged is directly within the purview of Section 21 of the Clayton Act (28 U. S. C. A. 386), which provides:

> "Any person who shall willfully disobey any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia by doing any act or thing therein, or thereby forbidden

to be done by him, *if the act or thing so done by him be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any state in which the act was committed* shall be proceeded against for his said contempt as hereinafter provided." (Italics supplied.)

The acts of contempt committed by the respondent are of such character as to constitute a criminal offense under both a statute of the United States and the laws of the State of New York, in which they were committed. The injunction restrained the respondent from committing specified acts in violation of the Sherman Anti-Trust Act. The contempts committed in violation of the injunction were new and independent offenses for which he was subject to criminal prosecution under said Act. For the same acts he was also subject to prosecution under Section 530 of the Penal Law of the State of New York.* Respondent actually was prosecuted and punished under that section for certain of the acts specified in paragraphs "5" and "6" of the information (*People* v. *Weiner*, 264 N. Y. 534).

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* Section 530 of the Penal Law provides:

"*Coercing another person a misdemeanor.* A person who with a view to compel another person to do or to abstain from doing an act which such other person has a legal right to do or to abstain from doing, wrongfully and unlawfully,

1. Uses violence or inflicts injury upon such other person or his family, or a member thereof, or upon his property or threatens such violence or injury; or,

2. Deprives any such person of any tool, implement or clothing or hinders him in the use thereof; or,

3. Uses or attempts the intimidation of such person by threats or force,

Is guilty of a misdemeanor."

Where the contempt is in disobedience of a decree of the District Court, and also constitutes an independent criminal offense, the contemner is proceeded against as provided in Section 22 of the Clayton Act (28 U. S. C. A. §387) which reads, in part, as follows:

> "In all cases within the purview of this Act such trial may be by the court, or upon demand of the accused, by a jury;
>
> If the accused be found guilty, judgment shall be entered accordingly, prescribing the punishment, either by fine or imprisonment, or both, in the discretion of the court. Such fine shall be paid to the United States or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided, or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of six months."

Since Sections 21 and 22 of the Clayton Act are applicable, the respondent could not be sentenced to imprisonment for a term in excess of six months. His sentence to imprisonment for two years was therefore void to the extent that it was in excess of six months.

The petitioner contends that Sections 21 and 22 are applicable only to violations of decrees entered in suits and actions brought by private parties. Violations of a decree entered in a suit brought by the United States, petitioner argues, even though the acts of contempt constitute independent criminal offenses, are not within the scope of Sections 21 and 22. This limited construction of Sections 21 and 22

of the Clayton Act is predicated upon Section 24 of the Clayton Act (28 U. S. C. A. 389), which provides:

> "Nothing contained in sections 386 to 388 and 390 of this title (Sections 21 to 23 and 25 of the Clayton Act) shall be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically embraced within Section 386 of this title, may be punished in conformity to the usages at law and in equity prevailing on October 15, 1914."

The construction contended for by the petitioner confines the applicability of Sections 21 and 22 to a restricted class of contempts. Such construction is not consistent with the reason for the enactment of these sections which was to restrict courts of equity from invading the criminal domain. Persons were not to be convicted under the guise of trials for contempt, of substantive crimes for which, if indicted, they would have a constitutional right to a trial by jury. The petitioner's interpretation would permit many persons to be summarily tried for contempts constituting substantive crimes. The test would not be, as provided in Section 21, merely whether the violation of a decree was an independent criminal offense. It would also be whether the decree violated was entered in a suit brought by a private party. If such were the purpose of Section 21 of the Clayton Act, it could easily have been expressed substantially as follows:

> "Any person who shall willfully disobey any

> lawful * * * decree or command of any district court of the United States or any court of the District of Columbia, *in a suit or action between private parties,* by doing, etc."

The petitioner's interpretation of Section 24 entirely overlooks the significance of the last portion of that section:

> "* * * but the same, and all other cases of contempts not specifically embraced within Section 386 of this title (Sec. 21 of the Clayton Act), may be punished in conformity to the usages at law and in equity prevailing on October 15, 1914."

Those cases of contempt "not specifically embraced within Section 21" were the only ones in which the contemner was to be proceeded against and punished in conformity with the usages in law and in equity prevailing on October 15, 1914.* The phrase, "but the same, and all other cases", indicates that everything in Section 24 of the Clayton Act, preceding it, related to cases where the contempt was not specifically embraced in Section 21. The preceding exception in Section 24 dealing with violations of decrees entered in suits brought by the United States, could only refer, therefore, to cases where the contempt did not constitute an independent criminal offense. As stated by the Circuit Court of Appeals:

> "Contempt is specifically embraced within section 21 of the Clayton Act, so that it must be prosecuted under section 22 of the Act and not under section 268 of the Judicial Code, when an order or decree of the court is violated and the violation at the same time constitutes an

* That is, pursuant to the provisions of Section 268 of the Judicial Code (see Appendix, p. 16).

independent criminal offense. When these two things take place in one and the same act, then the contemner must be prosecuted under section 22 of the Act, whether or not the decree was entered in a suit or action brought or prosecuted in the name of, or on behalf of, the United States, or by private parties. The antecedents of the word 'same' in section 24 in the sentence beginning with the words, 'but the same, and all other cases of contempt', etc., are not only the contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, but also contempts committed in disobedience of any lawful writ, process, order or decree entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, and all other cases of contempt not embraced in section 21. In other words these antecedent types of contempts, whether by private parties or the government, must be prosecuted under the law as it was when the Clayton Act was passed, but those contempts, which are specifically embraced within section 21 of the Clayton Act must be prosecuted under section 22 of the Act in which the contemner may demand a jury trial. That is, all kinds of contempt, with one exception, must be tried as they were on October 15, 1914, and that is by the court without a jury. That one exception is created and defined by sections 21, 22 and 24 of the Clayton Act and there is a good reason for the exception: A person may not be tried and convicted for the commission of a crime, even though the crime involves the violation of the decree of a court, without the right of trial by jury. This right the constitution gives him" (R. 335-336).

If there be any doubt as to the interpretation of the sections of the Clayton Act in question, they must

be construed, as a criminal statute, strictly in favor of the personal liberty of the accused. *United States* v. *Weitzel,* 246 U. S. 533, 543; *Prussian* v. *United States,* 282 U. S. 675, 677; *United States* v. *Atchison T. & S. F. Ry. Co.,* 142 F. 176, 181 (Circuit Ct. W. D. Mo., 1905).

Since the acts of contempt committed by respondent also constituted criminal offenses, they fall directly within the provisions of Section 21 of the Clayton Act, and punishment should, therefore, have been limited, as held below, to that prescribed in Section 22 of said Act.

In *United States* v. *Goldman,* 277 U. S. 229, cited by petitioner, the court did not have before it the question presented in the case at bar. The *Goldman* case merely decided that the period of limitation fixed by Section 25 of the Clayton Act did not apply to all contempts, but only to those within the purview of Sections 21 to 24 of the Clayton Act. The court did not pass upon the effect of the last phrase of Section 24. Nor did it consider whether the contempt charged constituted a crime under a statute of the United States or the laws of the state where committed.*

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* In *Forrest* v. *United States,* 277 F. 873 (C. C. A. 9th, 1922), cited by petitioner, the court was not concerned with the punishment of the defendant, and the order violated was not entered in an equity suit under the Sherman Anti-Trust Act. In *Swepston* v. *United States,* 251 F. 205 (C. C. A. 6th, 1918), the defendant did not demand a jury trial pursuant to Section 22 of the Clayton Act. The court's brief statement concerning Sections 22 and 24 was therefore clearly *obiter.* The same is true of *United States* v. *Taliferro,* 290 F. 214 (W. D., Va., 1922), where the court specifically found that the contempt did not constitute a crime under a federal or state law.

That Sections 21, 22 and 24 of the Clayton Act were not intended to repeal the provisions of Section 268 of the Judicial Code is conceded. It is apparent not only from the decision in *Canoe Creek Coal Co.* v. *Christinson,* 281 F. 559 (D. C. Ky.,

2. The procedure followed by the District Court for Southern New York upon the trial of the respondent for contempt, or the reasons advanced for the waiver by the respondent of a jury trial* are of no materiality. The sole question for consideration below was the source of the trial court's power to punish for contempt and whether that power was properly exercised.

3. If a sentence in excess of six months was beyond the power of the trial court, the respondent's consent to the sentence could not serve to enlarge its powers. An order in excess of the authority or jurisdiction of the court, even though issued with the consent of the parties, is void and subject to direct or collateral attack at any time. *Mansfield* v. *Swan,* 111 U. S. 379; *Chicago, B. & Q. Ry. Co.* v. *Willard,* 220 U. S. 413; *Brougham* v. *Oceanic Steam Navigation Co.,* 205 F. 857, 860 (C. C. A. 2nd 1913).

The Petition Should be Denied.

Respectfully submitted,

SAMUEL H. KAUFMAN,
Attorney for Joseph Weiner, Respondent.

1922), reversed on other grounds 293 F. 279, 266 U. S. 42, but also from the very language of Section 24 of the Clayton Act. The sentence of a year and a day in *Creekmore* v. *United States,* 237 F. 743 (C. C. A. 8th, 1916, certiorari denied 242 U. S. 646) was imposed under Section 268 of the Judicial Code, under which the court is granted complete discretion. Under Section 22 of the Clayton Act, a sentence of that duration is clearly improper.

* Exhibit "A" (R. 303-307) was filed by the Government for the first time upon a petition for rehearing in the District Court and is, therefore, extraneous to the Record. *Maxwell Land-Grant Case,* 122 U. S. 365, 375; *Chapman & Dewey Lumber Co.* v. *St. Francis Levee District,* 234 U. S. 667; *Gregory* v. *Pike,* 67 F. 837, 852 (C. C. A. 1st, 1895).

APPENDIX.

The Statutes Involved.

Section 21 of the Clayton Act (28 U. S. C. A., §386):

Contempts; when constituting also criminal offense. Any person who shall willfully disobey any lawful writ, process, order, rule, decree, or command of any district court of the United States or any court of the District of Columbia by doing any act or thing therein, or thereby forbidden to be done by him, if the act or thing so done by him be of such character as to constitute also a criminal offense under any statute of the United States or under the laws of any State in which the act was committed shall be proceeded against for his said contempt as hereinafter provided. (Oct. 15, 1914, c. 323, §21, 38 Stat. 738.)

* * * *

Section 22 of the Clayton Act (28 U. S. C. A., §387):

Same; procedure; bail; attachment; trial, punishment. Whenever it shall be made to appear to any district court or judge thereof, or to any judge therein, sitting, by the return of a proper officer on lawful process, or upon the affidavit of some credible person, or by information filed by any district attorney, that there is reasonable ground to believe that any person has been guilty of such contempt, the court or judge thereof, or any judge therein sitting, may issue a rule requiring the said person so charged to show cause upon a day certain why he should not be punished therefor, which rule, together with a

copy of the affidavit or information, shall be served upon the person charged, with sufficient promptness to enable him to prepare for and make return to the order at the time fixed therein. If upon or by such return, in the judgment of the court, the alleged contempt be not sufficiently purged, a trial shall be directed at a time and place fixed by the court. If the accused, being a natural person, fail or refuse to make return to the rule to show cause, an attachment may issue against his person to compel an answer, and in case of his continued failure or refusal, or if for any reason it be practicable to dispose of the matter on the return day, he may be required to give reasonable bail for his attendance at the trial and his submission to the final judgment of the court. Where the accused is a body corporate, an attachment for the sequestration of its property may be issued upon like refusal or failure to answer.

In all cases within the purview of sections 381 to 383, 386 to 390 of this title, section 412 of Title 18, section 52 of Title 29 and sections 12 to 27 of Title 15, such trial may be by the court, or, upon demand of the accused, by a jury; in which latter event the court may impanel a jury from the jurors then in attendance, or the court or the judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor; and such trial shall conform, as near as may be, to the practice in criminal cases prosecuted by indictment or upon information.

If the accused be found guilty, judgment shall be entered accordingly, prescribing the punishment, either by fine or imprisonment, or both, in the discretion of the court. Such fine shall be paid to the

United States or to the complainant or other party injured by the act constituting the contempt, or may, where more than one is so damaged, be divided or apportioned among them as the court may direct, but in no case shall the fine to be paid to the United States exceed, in case the accused is a natural person, the sum of $1,000, nor shall such imprisonment exceed the term of six months. In any case the court or a judge thereof may, for good cause shown, by affidavit or proof taken in open court or before such judge and filed with the papers in the case, dispense with the rule to show cause, and may issue an attachment for the arrest of the person charged with contempt; in which event such person, when arrested, shall be brought before such court or a judge thereof without unnecessary delay and shall be admitted to bail in a reasonable penalty for his appearance to answer to the charge or for trial for the contempt; and thereafter the proceedings shall be the same as provided herein in case the rule had issued in the first instance. (Oct. 15, 1914, c. 323, §§22, 38 Stat. 738.)

* * * *

Section 24 of the Clayton Act (28 U. S. C. A., §389):

Same; not specifically enumerated. Nothing contained in sections 386 to 388 and 390 of this title shall be construed to relate to contempts committed in the presence of the court, or so near thereto as to obstruct the administration of justice, nor to contempts committed in disobedience of any lawful writ, process, order, rule, decree or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States, but the same, and all other cases of contempt not specifically em-

braced within section 386 of this title, may be punished in conformity to the usages at law and in equity prevailing on October 15, 1914. (Oct. 15, 1914, c. 323, §24, 38 Stat. 739.)

* * * *

Section 268 of the Judicial Code (28 U. S. C. A., §385):

Administration of oaths; contempts. The said courts shall have power to impose and administer all necessary oaths, and to punish, by fine or imprisonment, at the discretion of the court, contempts of their authority. Such power to punish contempts shall not be construed to extend to any cases except the misbehavior of any person in their presence, or so near thereto as to obstruct the administration of justice, the misbehavior of any of the officers of said courts in their official transactions, and the disobedience or resistance by any such officer, or by any party, juror, witness, or other person to any lawful writ, process, order, rule, decree, or command of the said courts. (R. S. §725; Mar. 3, 1911, c. 231, §268, 36 Stat. 1163.)

Paragraphs "4", "5" and "6" of the Information.

Paragraph 4. Defendants Joseph Weiner, Arthur Herbert, Charles Herbert and Sidney Rosenstein are part owners of, and/or receive payments from, the Metropolitan Poultry Feed Corporation, which now is and continuously since the entry of said decree has been, engaged in selling poultry feed to receiver, marketmen and poultry dealers in Greater New York at excessive prices. During all of said period of time,

Arthur Herbert has been an official delegate and business delegate of Local 167, Charles Herbert and Joseph Weiner have been official delegates and business representatives of Local 440 of the Poultry Schochtim Union of Greater New York, and Sidney Rosenstein has been a member of Local 167; all of said defendants have used their offices and positions in said labor unions for the purpose of coercing marketmen to buy poultry feed from the Metropolitan Poultry Feed Corporation, in violation of paragraph 8-l of said decree, such instances being too numerous to mention; all of said defendants have threatened to cause and have caused and coerced marketmen to employ laborers in excess of their reasonable requirements, for the purpose, among others, of compelling said marketmen to buy their poultry feed exclusively from the Metropolitan Poultry Feed Corporation, in violation of Paragraph 8-g of said decree, such instances being too numerous to mention; and said defendants have spied upon marketmen for the purpose of ascertaining the source of their poultry feed, in violation of paragraph 8-h of said decree, such instances being too numerous to mention.

Paragraph 5. On or about December 21, 1932, defendant Joseph Weiner, accompanied by Jacob Roth, Harry Dratt, Hyman Dratt, and other individuals to the United States Attorney unknown, visited the SS&B Market at 1314 Cooper Avenue, Bronx, New York, and there ordered Samuel Weiner, a poultry marketman and one of the proprietors of the said SS&B Market, to rent and/or buy coops exclusively from the New Jersey Coop Company, and to cease renting and/or buying poultry coops from other sources. Defendant Joseph Weiner, threatened to injure said Samuel Weiner and the property of SS&B Market in the event that Samuel Weiner and

his business associates did not comply with said demands. Defendant Joseph Weiner thereafter, to-wit, on or about April 6, 1933, caused the SS&B Market to be wrecked and damaged and thereby caused the proprietors and employes of the SS&B Market and all other persons in the poultry industry in Greater New York to be terrified and put in fear. Defendant Joseph Weiner thereby attempted to create and did create in the minds of Samuel Weiner and his business associates in the SS&B Market a feeling of fear and terror for the purpose of preventing Samuel Weiner and all other persons engaged in the wholesale poultry business in Greater New York from buying, selling or distributing live poultry in a free, open and competitive market, in violation of paragraph 8-b of said decree.

Paragraph 6. During the period from December, 1932, to and including April, 1933, defendant Joseph Weiner used his position and office as an official delegate and business representative of Local 440 of the Official Orthodox Slaughterers of America, Inc., for the purpose of coercing Samuel Weiner and other marketmen to buy their poultry and other commodities necessary to the poultry business from particular sellers in the manner described in paragraph 6 hereinabove, in violation of paragraph 8-l of said decree. During or about the month of November, 1932, defendant Joseph Weiner caused, coerced and compelled the SS&B Market to employ laborers in excess of their reasonable requirements, upon discovering that the said SS&B Market was obtaining poultry coops which are used in transporting poultry to the wholesale markets, from sources other than the New Jersey Coop Company; and said Joseph Weiner thereby violated paragraph 8-g and paragraph 8-l of said decree.